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15 **UNITED STATES DISTRICT COURT**
16 **NORTHERN DISTRICT OF CALIFORNIA**

17 MATTHEW PHILLIBEN, JULIAN MENA,
18 TODD SCHREIBER, NATE COOLIDGE,
19 ERNESTO MEJIA, and BYRON MCKNIGHT,
individually and on behalf of all others similarly
situated,

20 Plaintiffs,

21 vs.

22 UBER TECHNOLOGIES, INC., a Delaware
23 Corporation, and RASIER, LLC, a Delaware
Limited Liability Company,

24 Defendants.

Case No. 3:14-cv-05615-JST

HON. JON S. TIGAR

**JOINT STIPULATION AND ~~PROPOSED~~
ORDER TO CONTINUE CASE
MANAGEMENT CONFERENCE
SCHEDULED FOR DECEMBER 14, 2016**

TO THE HONORABLE COURT AND THE CLERK OF THE COURT:

Pursuant to Civil Local Rule 6-2, Plaintiffs Matthew Philliben, Julian Mena, Todd Schreiber, Nate Coolidge, Ernesto Mejia, and Byron McKnight (collectively, “Plaintiffs”) and Defendants Uber Technologies, Inc. and Rasier, LLC (collectively “Defendants”) (collectively with Plaintiffs, the “Parties”) provide this stipulation to inform the Court that they are continuing to mediate this dispute in an effort to address the issues raised in this Court’s denial of the Parties’ Motion for Preliminary Approval of Class Action Settlement (Dkt. 98). As a result, the Parties respectfully request that this Court continue the Case Management Conference, currently scheduled for December 14, 2016, forty-five (45) days in order to allow the Parties to continue their mediation and settlement efforts.

By and through their respective counsel of record, the Parties hereby stipulate and request that the Court enter an Order as follows:

WHEREAS, Plaintiffs commenced this action on January 6, 2015 [Dkt. 1];

WHEREAS, on February 11, 2016, Plaintiffs filed a Motion for Preliminary Approval of Class Action Settlement (herein the “Motion”) [Dkt. 75-4];

WHEREAS, on August 30, 2016, the Court issued its Order Denying Motion For Preliminary Approval Of Class Action Settlement (herein the “Denial Order”) [Dkt. 98];

WHEREAS, since the date of the Denial Order, the Parties have been negotiating potential amendments to the settlement that would address each of the issues raised in the Denial Order;

WHEREAS, the Parties participated in mediation on October 5, 2016 and again on November 22, 2016;

WHEREAS, following the completion of the November 22, 2016 mediation, the Parties took the first available mediation date thereafter, which is January 5, 2017;

WHEREAS, the Parties are continuing to have settlement communications between now and January 5, 2017 including in-person and telephonic discussions. In addition, the Parties are continuing to exchange and analyze information provided pursuant to the mediation in an attempt to address the issues this Court raised in its Denial Order;

WHEREAS, a Case Management Conference is currently scheduled for December 14, 2016, and a Joint Case Management Conference Statement is due December 7, 2016 [Dkt. 104];

WHEREAS, no scheduling order has been entered and no trial date has been set for this case;

NOW THEREFORE, in consideration of the foregoing, the Parties, by and through their undersigned counsel, hereby stipulate, agree and request that the Court enter an Order as follows:

1. Continuing the currently scheduled Case Management Conference forty-five (45) days;
- or
2. ~~If the Court intends to keep the currently scheduled Case Management Conference date, permitting this Stipulation to constitute the Parties' Joint Case Management Conference Statement; and~~
3. That discovery remains stayed.

IT IS SO STIPULATED.

Dated: December 5, 2016

AHDOOT & WOLFSON, PC

By: /s/ Robert Ahdoot

Tina Wolfson

Robert Ahdoot

Counsel for Plaintiffs Matthew Philliben, Julian Mena, Todd Schreiber, Nate Coolidge, Ernesto Mejia and Byron McKnight

Dated: December 5, 2016

IRELL & MANELLA LLP

By: /s/ A. Matthew Ashley

Andra Barmash Greene

A. Matthew Ashley

Counsel for Defendants Uber Technologies, Inc. and Rasier, LLC

CERTIFICATION PER GENERAL ORDER NO. 45, § X-B

Pursuant to General Order No. 45, § X-B, I, Robert Ahdoot, hereby certify that on December 5, 2016, A. Matthew Ashley authorized me to submit this Joint Stipulation And [Proposed] Order to Continue Case Management Conference Scheduled for December 14, 2016:

December 5, 2016



Robert Ahdoot

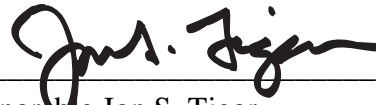
[PROPOSED] ORDER

Pursuant to the Parties' December 5, 2016 Stipulation, the Court:

- (1) Orders that the Case Management Conference presently set for December 14, 2016 at 1:30 p.m. be continued to January 25, 2017 at 2 p.m.; and
- (2) Orders that discovery shall remain stayed.

PURSUANT TO STIPULATION, IT IS SO ORDERED:

DATED: December 7, 2016



Honorable Jon S. Tigar
United States District Court Judge